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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,427	01/10/2001	Ian R. Finlay	CA9-2000-0015/1852P	8482

7590

12/03/2003

SAWYER LAW GROUP LLP
P.O. Box 51418
Palo Alto, CA 94303

EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/757,427

Applicant(s)

FINLAY ET AL.

Examiner

Anh Ly

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-18.

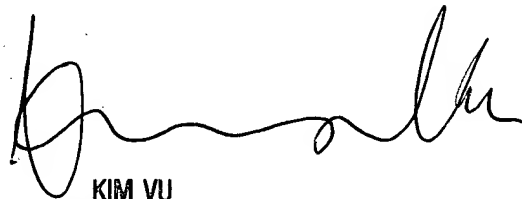
Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 5. does NOT place the application in condition for allowance because:

Applicants' argued that, "Ponnekanti does not teach or suggest "utilizing the data manager to write the query-specified data on the stabilized data page to a buffer ... while maintaining the stabilization of the data page," and "utilizing the query processor to retrieve the query-specified data from the buffer."" (Page 4, the last paragraph).

Ponnekanti et al. of 6,363,387 discloses the method for enhancing concurrency control by using a "row update" bit and deferred locking techniques that reduce locking overhead and increase concurrency during database operations requiring query processing (col. 3, lines 8-30). Locking or blocking a data page here as a stabilization of a data page and the four operations or manipulation operations related to this concurrency control and deferred locking are unset, delete, update (write) and update/delete (col. 3, lines 48-62 and col. 4, lines 31-43). Also Access Methods (see fig. 2A, item 269), which is invoked during query operation, is for carrying out the query-specified operation or retrieving or fetching data page from the buffer (col. 7, lines 34-52); Lock Manager is used for providing interfaces for acquiring and releasing conditional and unconditional locks (col. 11, lines 58-67 and col. 12, lines 1-35; also see col. 10, lines 52-67). The Access Methods (as query manager or query processor) calls the Lock Manager (as data manager) to acquire and release locks and latches. Thus, Lock Manager is updating or writing the data page in the buffer based on the query-specified, which is carried out by Access Methods, which is fetching the data page stored in the buffer (col. 10, lines 48-67). Applicants' arguments are not persuasive.



KIM VU

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100